

REMARKS/ARGUMENTS

Claims 4-8 and 13-15 are pending after the above amendments. Claims 1-3 and 9-12 have been canceled without prejudice, and new Claims 13-15 have been added.

Claims 1-3 and 5-8 were rejected as anticipated by DE 43 01 625 A1 to Meyer. Claim 4 was rejected as unpatentable over Meyer in view of U.S. Patent No. 6,558,306 to Lowry et al.

Claim 4 has been amended. Support for the amendments can be found in the specification at page 6, lines 20-30, page 7, lines 1-17, and Figures 3, 4, 5A, and 5B.

Claim 4 as amended requires an inner paperboard tube coaxially disposed within an outer paperboard tube, wherein the interface between the outer surface of the inner tube and the inner surface of the outer tube is devoid of adhesive. The tubes are axially offset relative to each other so as to form a male end at one end of the core and a female end at the other end of the core.

The cited references do not teach or suggest a core as recited in Claim 4. Meyer discloses a plastic or cardboard bobbin core for cigarette paper, in which the bobbin core has a male end and a female end. The Office Action, with regard to Claim 4, acknowledged that Meyer does not teach inner and outer tubes that are axially offset. However, the Office Action asserted that Lowry shows an inner tube **14a** disposed within an outer tube **14b** and axially offset with respect to the outer tube, as in Figure 2.

Lowry does not disclose anything that would have led a person of ordinary skill in the art to modify Meyer's bobbin core to have the structure as required by Claim 4. Lowry describes a composite container having a paperboard body wall **12**, a label **16** wrapped about the outer surface of the paperboard body wall, and an impervious liner **14** covering the inner surface of the paperboard body wall. The container is scored through the label and paperboard body wall, as indicated at **22** in Figure 2, but not through the liner, which is composed of two layers **14a**, **14b**. The outer layer **14a** can be aluminum foil or polymer film, and the inner layer **14b** can be a polymer film. The objective is to section the container into a plurality of lengthwise sections as

shown in Figure 1, so that the height of the container can be progressively reduced by tearing off a section at a time as the contents are gradually consumed.

Thus, contrary to the Office Action, the items **14a** and **14b** of Lowry do not constitute an inner paperboard tube and an outer paperboard tube, nor are they axially offset relative to each other.

Lowry does not disclose any inner paperboard tube coaxially disposed within an outer paperboard tube. There is a single paperboard tube **12** in Lowry's container. Moreover, Lowry does not disclose an inner tube coaxially disposed within an outer tube wherein the interface between the confronting surfaces of the two tubes is devoid of adhesive. All of the adjacent layers of Lowry's container are adhered together with adhesive. Furthermore, Lowry fails to teach or suggest an inner tube axially offset relative to an outer tube so as to form a male end and an opposite female end of the combined tube structure.

Accordingly, it is respectfully submitted that Claim 4 and the claims dependent thereon are patentable over the cited references. Applicant respectfully requests withdrawal of the rejections.

New Claims 13 and 14 include a fastener for affixing the two tubes together to prevent relative movement between them. The cited references do not disclose or suggest such a fastener.

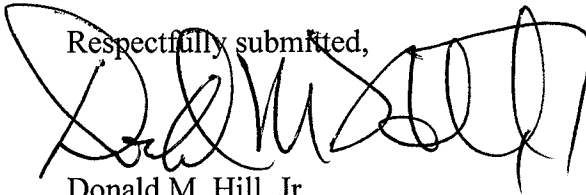
Conclusion

Based on the above amendments and remarks, it is submitted that all pending claims are patentable and the application is in condition for allowance.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required

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therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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